

House Bill 135 (COMMITTEE SUBSTITUTE)

By: Representatives Welch of the 110<sup>th</sup>, Willard of the 51<sup>st</sup>, Lindsey of the 54<sup>th</sup>, Powell of the 171<sup>st</sup>, Meadows of the 5<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 36-33-5 of the Official Code of Georgia Annotated, relating to ante litem notice for municipalities, so as to provide that such notices shall specify the amount of damages sought; to provide for service of such notices; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 36-33-5 of the Official Code of Georgia Annotated, relating to ante litem notice for municipalities, is amended by revising subsection (a) and adding two new Code sections to read as follows:

"(a) No person, firm, or corporation having a claim for money damages against any municipal corporation on account of injuries to person or property shall bring any action against the municipal corporation for such injuries, without first giving notice as provided in ~~subsection (b)~~ of this Code section."

"(e) The description of the extent of the injury required in subsection (b) of this Code section shall include the specific amount of monetary damages being sought from the municipal corporation. The amount of monetary damages set forth in such claim shall constitute an offer of compromise. In the event such claim is not settled by the municipal corporation and the claimant litigates such claim, the amount of monetary damage set forth in such claim shall not be binding on the claimant.

(f) A claim submitted under this Code section shall be served upon the mayor or the chairperson of the city council or city commission, as the case may be, by delivering the claim to such official personally or by certified mail or statutory overnight delivery."

**SECTION 2.**

All laws and parts of laws in conflict with this Act are repealed.

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